REMARKS

This Amendment is responsive to the Office Action mailed May 28, 2003. In that Office Action, the Examiner rejected claims 1-31 under 35 U.S.C. §102(e) as being anticipated by Ferrari et al., U.S. Patent No. 6,392,636 ("Ferrari").

With this Response, claim 1 has been amended. It is believed that all claims are now in a condition for allowance. Notice to that effect is respectfully requested.

35 U.S.C. § 102 Rejections

The Examiner rejected claims 1-31 under 35 U.S.C. §102(e) as being anticipated by Ferrari et al., U.S. Patent No. 6,392,636 ("Ferrari"). With this Amendment, independent claim 1 has been amended to include the limitation that the controller is configured to generate movement data based on "a comparison of successively generated sets of" the values. As described in the specification of the present Application:

> The overall size of the array of sensing elements 102 is preferably large enough to receive an image having several features (e.g., ridges in the whorls of skin). In this way, images of such spatial features produce translated patterns of pixel information as fingertip 6 moves. The number of sensing elements 102 in the array and the frame rate at which their contents are digitized and captured cooperate to influence how fast fingertip 6 can be moved across sensing elements 102 and still be tracked. Tracking is accomplished by correlator 160 by comparing a newly captured sample frame with a previously captured reference frame to ascertain the direction and amount of movement. (Specification at page 9, line 28, to page 10, line 5).

In contrast, Ferrari does not teach or suggest comparing successively generated sets of values generated by the array 3 of sensor cells 2. Rather, Ferrari discloses that movement information is generated based solely on the current position of a finger. The position of the finger is determined by calculating the centroid of a sensed "blob" in an image representing the finger. If the position of the finger is near the top of the array 3, the cursor is moved up. If the position of the finger is near the bottom of the array 3, the cursor is moved down. (See, e.g., Ferrari at Abstract; col. 1, lines 53-56; col. 4, lines 10-15; col. 4, lines 33-37; col. 5, lines 10-63; col. 8, lines 38-44; col. 9, lines 19-61; col. 10, lines 38-50; col. 11, lines 10-40).

In view of the above, independent claim 1 as amended is not taught or suggested by Ferrari. In addition, dependent claims 2-18, which further limit patentably distinct claim 1,

are also believed to be allowable over the cited reference. Allowance of claims 1-18 is respectfully requested.

Independent claim 19 includes the limitation "correlating at least one version of a first one of the digital images with at least one version of a second one of the digital images to generate motion data indicative of motion across the sensing elements by the appendage". The Examiner did not appear to address this limitation of claim 19. Ferrari does not teach or suggest correlating at least one version of a first one of the digital images with at least one version of a second one of the digital images to generate motion data indicative of motion across the sensing elements by the appendage. Rather, as described above with reference to claim 1, Ferrari discloses that movement information is generated based solely on the current position of a finger.

In view of the above, independent claim 19 is not taught or suggested by Ferrari, and the Applicants respectfully traverse the Examiner's rejection of claim 19. In addition, dependent claims 20-31, which further limit patentably distinct claim 19, are also believed to be allowable over the cited reference. Allowance of claims 19-31 is respectfully requested.

Allowable Subject Matter

In light of the above, Applicant believes independent claims 1 and 19 and the claims depending therefrom, are in condition for allowance. Allowance of these claims is respectfully requested.

CONCLUSION

Any inquiry regarding this Amendment and Response should be directed to Jeff A. Holmen at the below-listed telephone number or Pamela Lau Kee at Telephone No. (408) 553-3059, Facsimile No. (408) 553-3063. In addition, all correspondence should continue to be directed to the following address:

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CERTIFICATE UNDER 37 C.F.R. 1.8: The undersigned hereby certifies that this paper or papers, as described herein, are being deposited in the United States Postal Service, as first class mail, in an envelope address to: Commissioner for Patents, Washington, D.C., 20231 on this 12th day of August, 2003.

By _____
Name: Jeff A. Holmen